

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION**

JAMIE WEATHERFORD and KIMBERLY WEATHERFORD, on behalf of themselves and all others similarly situated,

Plaintiffs,

VS.

E.I. DUPOINT DE NEMOURS &
COMPANY, THE CHEMOURS COMPANY,
FC, LLC, 3M COMPANY, DAIKIN
AMERICA, INC., DAIKIN INDUSTRIES,
LTD., and MITSUBISHI INTERNATIONAL
POLYMERTRADE CORPORATION,

Defendants.

Civil Action No.: 4:22-cv-01427-RBH

RULE 26(f) DISCOVERY PLAN

COMES NOW the Parties to this case who respectfully submit this Discovery Plan pursuant to Rule 26(f) of the Federal Rules of Civil Procedure. The parties have held the Rule 26(f) conference, and it yielded the following results, which the Parties describe pursuant to Rule 26(f):

(A) What changes should be made in the timing, form, or requirement for disclosures under 26(a), including a statement of when initial disclosures were made or will be made?

RESPONSE: The parties have agreed that the dates set forth in the parties' proposed Consent Amended Scheduling Order are appropriate for this case, including the adjustment for deadlines for disclosures required under Rule 26(a) of the Federal Rules of the Civil Procedure. The parties respectfully request that the Court enter the proposed Consent Amended Scheduling Order submitted with their Rule 26(f) Report.

(B) The subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused upon particular issues.

RESPONSE: The parties anticipate that discovery of the facts related to and surrounding the events identified in the Second Amended Complaint, the various affirmative defenses which may be asserted by the Defendants, the economic and non-economic damages of the Plaintiffs, and the opinions of any expert(s) who may be disclosed by any party. The parties anticipate that discovery will be completed in accordance with the deadlines set forth in the parties proposed Consent Amended Scheduling Order.

(C) Any issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced.

RESPONSE: None anticipated at this time. The Parties are discussing a protocol relating to electronically stored information (“ESI”) and anticipate that they will submit either an agreed-upon proposed order relating to ESI or present any disputes they are unable to resolve to the Court in the coming weeks.

(D) Any issues about claims of privilege or of protection as trial-preparation materials, including – if the parties agree on a procedure to assert these claims after production – whether to ask the court to include their agreement in an order.

RESPONSE: None known at this time. These parties are preparing and will submit a proposed Confidentiality Order for the Court’s consideration shortly after the filing of this Discovery Plan so as to provide protection for certain confidential and/or export control materials which may be sought during the discovery process.

(E) What changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed?

RESPONSE: None known at this time other than the limitations imposed by the Federal Rules of Civil Procedure, the proposed Consent Amended Scheduling Order submitted to the Court as part of the Parties' Rule 26(f) Report, and applicable law.

(F) Any other orders that the Court should issue under Rule 26(c) or under Rule 16(b) and (c).

RESPONSE: These parties are planning to seek the entry of a Confidentiality Order in this case and anticipate that a proposed Confidentiality Order will be submitted to the Court shortly after the filing of this Discovery Plan.

Submitted this 25th day of October 2023.

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